DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ronald Neerings on July 16 2008.

The application has been amended as follows:

Claim 24: On line 14, insert ",said resource allocation decision includes a determination to use, or not to use, frequency channels other than those utilized by cellular operators, for additional communication between said first and second wireless communication interfaces" between "apparatus" and ".".

Claim 30: On line 14, insert ",said resource allocation decision includes a determination to use, or not to use, frequency channels other than those utilized by cellular operators, for additional communication between said first and second wireless communication interfaces" between "apparatus" and ".".

Claim 31: On line 14, insert ",said agreement includes a determination to use, or not to use, frequency channels other than those utilized by cellular operators, for additional communication between said first and second wireless communication interfaces" between "apparatus" and ".".

Allowable Subject Matter

2. Claims 1-31 allowed.

The following is an examiner's statement of reasons for allowance:

Regarding **claim 1**, Hsu et al 7,127,255 discloses a system for controlling allocation of wireless communication resources, comprising: a first resource control segment, and a first wireless communication interface connected to said first resource control segment; a second resource control segment, and a second wireless communication interface connected to said second resource control segment, said second resource control segment and said second wireless communication interface provided together in a wireless mobile communication apparatus; said first and second wireless communication interfaces cooperable to couple said first and second resource control segments for wireless communication; and said first and second resource control segments cooperable for making a resource allocation decision with respect to a wireless communication session involving the wireless mobile communication apparatus. The instant invention discloses said resource allocation decision including a determination to use, or not to use, frequency spectrum other than frequency spectrum utilized by cellular operators, for additional communication between said first and second wireless communication interfaces. The above novel features in combination with all the recited limitations of claim 1 are neither taught, suggested nor made obvious by Hsu et al or any other prior art of record. Claims 2-23, 28 and 29 are allowable based on their being dependent on claim 1.

Regarding **claim 24**, Hsu et al 7,127,255 discloses a system for controlling allocation of wireless communication resources, comprising: a first resource control segment, and a first wireless communication interface connected to said first resource control segment; a second resource control segment, and a second wireless communication interface connected to said second resource control segment, said second resource control segment and said second wireless communication interface provided together in a wireless mobile communication apparatus; said first and second wireless communication interfaces cooperable to couple said first and second resource control segments for wireless communication. The instant invention discloses said first and second resource control segments each sharing available resource map (ARM) information with the other and thereafter arriving at an agreed upon resource allocation decision with respect to a wireless communication session involving the wireless mobile communication apparatus, said resource allocation decision including a determination to use, or not to use, frequency spectrum other than frequency spectrum utilized by cellular operators, for additional communication between said first and second wireless communication interfaces. The above novel features in combination with all the recited limitations of claim 24 are neither taught, suggested nor made obvious by Hsu et al or any other prior art of record. Claims 25-27 are allowable based on their being dependent on claim 24.

Regarding **claim 30**, Hsu et al 7,127,255 discloses a system for controlling allocation of wireless communication resources, comprising: a first resource control segment having access to information in a first resource map, and a first wireless communication interface connected to said first resource control segment; a second resource control segment having access to information in a second resource map, and a second wireless communication interface connected to said second resource control segment, said second resource control segment and said second wireless communication interface provided together in a wireless mobile communication apparatus; said first and second wireless communication interfaces cooperable to couple said first and second resource control segments for wireless communication. The instant invention discloses said first and second resource control segments sharing information available from said first and second resource maps and thereafter arriving at an agreed upon resource allocation decision with respect to a wireless communication session involving the wireless mobile communication apparatus, said resource allocation decision including a determination to use, or not to use, frequency spectrum other than frequency spectrum utilized by cellular operators, for additional communication between said first and second wireless communication interfaces. The above novel features in combination with all the recited limitations of claim 30 are neither taught, suggested nor made obvious by Hsu et al or any other prior art of record.

Regarding **claim 31**, Hsu et al 7,127,255, Hsu discloses a system for controlling allocation of wireless communication resources, comprising: a first resource control segment, and a first wireless communication interface connected to said first resource control segment; a second resource control segment, and a second wireless communication interface connected to said second resource control segment, said second resource control segment and said second wireless communication interface provided together in a wireless mobile communication apparatus; said first and second wireless communication interfaces cooperable to couple said first and second resource control segments for wireless communication. The instant invention discloses said first and second resource control segments each sharing with the other available transmit and receive frequencies and thereafter agreeing upon respective transmit and receive frequencies with respect to a wireless communication session involving the wireless mobile communication apparatus, said agreement includes a determination to use, or not to use, frequency channels other than those utilized by cellular operators, for additional communication between said first and second wireless communication interfaces. The above novel features in combination with all the recited limitations of claim 31 are neither taught, suggested nor made obvious by Hsu et al or any other prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Soliman 6,950,417 discloses a method and apparatus for detecting forward and reverse link imbalance in digital cellular communication systems.

Jechoux 7,328,025 discloses a method for implicit allocation of resources.

Dugad et al 20040127226 discloses a method for uplink traffic information.

Chen et al 20020082021 discloses radio resource allocation method and base station using the same.

Schmidt 20030035388 discloses a radio sniffer.

Cerwall et al 6,868,277 discloses a mobile radio system and a method for channel allocation in a radio system.

Dahlman et al 6,907,005 discloses a flexible ARQ for packet data transmission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUMIDE T. AJIBADE AKONAI whose telephone number is (571)272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617